

REMARKS

Claims 1-13 are rejected. Claims 1 is an independent claim. Claim 1 has been amended. Claims 1-13 are pending in the application.

Reconsideration of all grounds of rejection in the Office Action, and allowance of all of the pending claims are respectfully requested in light of the following remarks.

Specification has been objection. In response, applicant has been amended the specification to remove typos and correct sentence structure to which the examiner has objected to. No new matters have been added.

Claims 1, 2, 7-10, 13 stand rejected under 35 U.S.C 102(b) as allegedly anticipated by or in the alternative under 35 U.S.C. §103(a) as obvious over Spaeth (U.S. 5,218,223, hereafter “Spaeth,’223”).

Applicants respectfully traverse the rejection of claim 1 over Spaeth,’223 as instant claim 1, now amended, recites, “...an active region having a window layer disposed at both ends and disposed on top of the photo-absorption layer.”

Support for the amendment can be found at page 7, lines 4-11:

The photo-absorption layer 120 is made of materials having a smaller bandgap energy than that of a wavelength of light signals intended for absorption thereon . To this end, InGaAs may be used to make the photo-absorption layer 120. In contrast, the window layer 130 is made of materials having greater bandgap energy than that of a wavelength of light signals which is intended for absorption, and InP may be used to make the window layer 130. Note that window layer 130 does not absorb light but passes the light passing therethrough. Therefore, the window layer 130 is comprised of larger bandgap energy.

In contract, Spaeth,’223 discloses a one-dimensional coupled opto-electronic semiconductor component that does not include a window layer.

Further, the present invention teaches a first groove having an inclination and a second groove. The prior art fails to show two separate grooves with one of them having a specific inclination, as recited in claim 1.

Accordingly, it is respectfully submitted that claim 1 is not anticipated by Speath,'233 and that a person of ordinary skill in the art would not have found instant base claims 1 obvious over Speath,'233 as Speath,'233 fails to teach an active region with a window layer disposed at both ends, as cited in the amended claim 1.

Therefore, reconsideration and withdrawal of this ground for rejection are respectfully requested.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

The Office Action indicates that claims 1-10, 12 and 13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Spaeth in view of Kata'097. However, the Office Action fails make no specific rejection of claim 1 in view of the combined references. Instead, the Office Action provides reasons of rejecting claims 2-6. Similarly, claims 1-13 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Spaeth and Kato, and further in view of Furuya '505, but the Office Action only provides the rejection reasons for claim 11. Applicant believes that references other than Spaeth were cited to reject dependent claims, and thus treated as such. Even if there were cited to reject the base claim, it is respectfully submitted that other references still fail to recite

the amended features cited in claim 1, thus respectfully submitted to withdraw the rejections.

The applicants submit that the claims, as they now stand, fully satisfy the requirements of 35 U.S.C. 102 and 103. In view of the foregoing amendments and remarks, favorable reconsideration and early passage to issue of the present application are respectfully solicited.

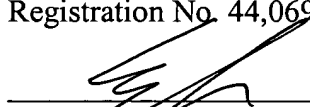
For all the foregoing reasons, it is respectfully submitted that all of the present claims are patentable in view of the cited reference. A Notice of Allowance is respectfully requested.

Should the Examiner deem that there are any issues, which may be best, resolved by telephone communication, please contact Applicant's undersigned Attorney at the number listed below.

Respectfully submitted,

Steve Cha
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Date: July 8, 2005


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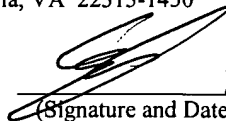
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 8, 2005.

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 7/8/05
(Signature and Date)